

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

MAXWELL SMITH, JR.

Case Number: 3:03CR172

USM Number:

FILED
CHARLOTTE, N. C.

Julia Mimms
Defendant's Attorney

NOV 16 2005

THE DEFENDANT:

X admitted guilt to violation of condition(s) 1 - 8 of the term of supervision.
 ___ Was found in violation of condition(s) count(s) ____ After denial of guilt.

U. S. DISTRICT COURT
W. DIST. OF N. C.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	Failure to comply with Mental Health Treatment requirements	10/1/03
2	Failure to make required court payments	10/1/03
3	Failure to report change in residence	August 2003
4	Failure to maintain lawful employment	10/1/03
5, 7, 8	New law violation	9/24/03
6	other	6/9/03

The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

___ The Defendant has not violated condition(s) ____ And is discharged as such to such violation(s) condition.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.:

Defendant's Date of Birth:

Defendant's Mailing Address:

Date of Imposition of Sentence: 10/31/05

Robert J. Conrad
Signature of Judicial Officer

Robert J. Conrad, Jr.
United States District Judge

Date: 11.16.05

Defendant: MAXWELL SMITH, JR.
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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of EIGHT (8) MONTHS.

X The Court makes the following recommendations to the Bureau of Prisons:
Receive mental health evaluation and complete any treatment recommended.

 The Defendant is remanded to the custody of the United States Marshal.

 The Defendant shall surrender to the United States Marshal for this District:

 As notified by the United States Marshal.

 At a.m. / p.m. on .

X The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

X as notified by the United States Marshal.

 Before 2 p.m. on .

 As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____,
with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal

Defendant: MAXWELL SMITH, JR.
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Judgment-Page 3 of 3**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
remitted	\$0.00	***Total amount of Restitution ordered remitted***

FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

— The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

— The interest requirement is waived.

— The interest requirement is modified as follows:

COURT APPOINTED COUNSEL FEES

— The defendant shall pay court appointed counsel fees.

— The defendant shall pay \$_____ Towards court appointed fees.